

PATENT
Customer No. 22,852
Attorney Docket No. 09617.0001-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Kiyoshi ANDO et al.)
Application No.: 10/510,627) Group Art Unit: 1644
§ 371 Filing Date: June 20, 2005) Examiner: Michail A. BELYAVSKYI
International Filing Date: April 9, 2003) Confirmation No.: 4183
For: METHOD OF JUDGING LEUKEMIA,)
PRE-LEUKEMIA OR ALEUKEMIC)
MALIGNANT BLOOD DISEASE AND)
DIAGNOSTIC THEREFOR)

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OFFICE ACTION (RESTRICTION REQUIREMENT)

Applicants now respond to the Office Action (Restriction Requirement) mailed May 1, 2007 ("Action"). The Office required restriction to one of the following groups of claims under 35 U.S.C. § 121:

Group I: Claims 1 and 6-10, allegedly "drawn to a method of diagnosing leukemia, classified in Class 435, subclass 7.1."

Group II: Claims 2 and 6-10, allegedly "drawn to a method for discriminating leukemia from pre-leukemia or aleukemic malignant blood disease, classified in Class 435, subclass 7.1."

Group III: Claims 3 and 6-10, allegedly "drawn to a method for discriminating aplastic anemia from SCGP, classified in Class 435, subclass 7.1."

- Group IV: Claims 4 and 6-10, allegedly "drawn to a method for diagnosing the engraftment state of the hematopoietic stem cells after transplantation, classified in Class 435, subclass 7.1."
- Group V: Claims 5 and 6-10, allegedly "drawn to a method of diagnosing GVHD, classified in Class 435, subclass 7.1."
- Group VI: Claims 11-15 and 18-20, allegedly "drawn to diagnostic agent for leukemia, comprising antibody reacting with SCGF, and hybridoma which produced monoclonal antibody, classified in Class 530, subclass 387.9 and 388.1, class 435 subclass 346."
- Group VII: Claims 16 and 17, allegedly "drawn to a diagnostic kit, classified in Class 435, subclass 810."

Action at page 2. Applicants elect Group I (claims 1 and 6-10).

Applicants expressly reserve the right to pursue the subject matter of the non-elected claims in one or more divisional applications.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Date: May 31, 2007

By: 
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